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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/646,901

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Aaron James Gannon

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EXAMINER

NGUYEN, PHU K

ART UNIT

PAPER NUMBER

2628

MAIL DATE

DELIVERY MODE

02/22/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/646,901	<b>Applicant(s)</b> GANNON, AARON JAMES	
	<b>Examiner</b> Phu K. Nguyen	<b>Art Unit</b> 2628	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 August 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4, 8-24 and 28-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-24, 28-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.


**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
PHU K. NGUYEN  
PRIMARY EXAMINER  
GPOI IP 2300

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-4, 8-24, 28-44 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In claim 1, the original specification does not provide the support for the claimed feature "changing the relative size of the selected zoom point" (line 8). Mathematically speaking, a point has no size; therefore, the claimed change of its relative size is confusing. Furthermore, it appears that Applicant's disclosure provides a changing in the relative distance of the selected zoom point to a central point and the displayed area edge point (page 9), but not a changing in relative size.

In claim 21, the original specification does not provide the support for the claimed feature "changing the relative size of the selected zoom point" (lines 9-10). Mathematically speaking, a point has no size; therefore, the claimed change of its relative size is confusing. Furthermore, it appears that Applicant's disclosure provides a changing in the relative distance of the selected zoom point to a central point and the displayed area edge point (page 9), but not a changing in relative size.

In claim 41, the original specification does not provide the support for the claimed feature "changing the relative size of the selected zoom point" (line 7). Mathematically

speaking, a point has no size; therefore, the claimed change of its relative size is confusing. Furthermore, it appears that Applicant's disclosure provides a changing in the relative distance of the selected zoom point to a central point and the displayed area edge point (page 9), but not a changing in relative size.

In claim 43, the original specification does not provide the support for the claimed feature "changing the relative size of the selected zoom point" (lines 8-9).

Mathematically speaking, a point has no size; therefore, the claimed change of its relative size is confusing. Furthermore, it appears that Applicant's disclosure provides a changing in the relative distance of the selected zoom point to a central point and the displayed area edge point (page 9), but not a changing in relative size.

The remaining claims are dependent upon the claims 1, 21, 41, and 43; therefore, they are rejected under the same reason.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-4, 8-24, 28-44 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, "the image edge point" (line 5) has no antecedent basis as Applicant has not defined any means of such "image edge point." It appears that the image edge point should be defined as an intersection between the straight zoom line (or the line connecting the selected zoom point and a central point) and an edge of the display

area. Furthermore, in a special case when the selected zoomed point is picked at the position of the central point, the straight zoom line can be any line passing through the common position of the selected zoom point and the central point, and then the figure 9 of Lee reference may have a certain relation. To overcome this and to consistent with the original Disclosure, the selected zoom point and the central point should be claimed as distinct so the straight zoom line is clearly defined.

In claim 21, "the image edge point" (line 12) has no antecedent basic as Applicant has not defined any means of such "image edge point." It appears that the image edge point should be defined as an intersection between the straight zoom line (or the line connecting the selected zoom point and a central point) and an edge of the display area. Furthermore, in a special case when the selected zoomed point is picked at the position of the central point, the straight zoom line can be any line passing through the common position of the selected zoom point and the central point, and then the figure 9 of Lee reference may have a certain relation. To overcome this and to consistent with the original Disclosure, the selected zoom point and the central point should be claimed as distinct so the straight zoom line is clearly defined.

In claim 41, "an edge point on the display area that is closest to the selected zoom point" (lines 9-10) is confusing because the three points (the selected zoom point, the central point, and the edge point) are likely not on the same straight line. It appears that the image edge point should be defined as an intersection between the straight zoom line (or the line connecting the selected zoom point and a central point) and an edge of the display area. Furthermore, in a special case when the selected zoomed

point is picked at the position of the central point, the straight zoom line can be any line passing through the common position of the selected zoom point and the central point, and then the figure 9 of Lee reference may have a certain relation. To overcome this and to consistent with the original Disclosure, the selected zoom point and the central point should be claimed as distinct so the straight zoom line is clearly defined.

In claim 43, "an edge point on the display area that is closest to the selected zoom point" (lines 11-12) is confusing because the three points (the selected zoom point, the central point, and the edge point) are likely not on the same straight line. It appears that the image edge point should be defined as an intersection between the straight zoom line (or the line connecting the selected zoom point and a central point) and an edge of the display area. Furthermore, in a special case when the selected zoomed point is picked at the position of the central point, the straight zoom line can be any line passing through the common position of the selected zoom point and the central point, and then the figure 9 of Lee reference may have a certain relation. To overcome this and to consistent with the original Disclosure, the selected zoom point and the central point should be claimed as distinct so the straight zoom line is clearly defined.

The remaining claims are rejected since they are dependent upon the rejected claims.

Due to a new ground of rejection, this action has been made NON-FINAL.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phu K. Nguyen whose telephone number is (571) 272 7645. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (571) 272 7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Phu K. Nguyen  
February 10, 2008

  
PHU K. NGUYEN  
PRIMARY EXAMINER  
GROUP 2300